102 Stat. 2154 Safety.

more of the following projects and combined to the State by the City of Irvine, the City of Tustin, and/or the County of Orange for the construction of the Barranca Parkway/State Route 133 interchange, the Tustin Ranch Road/Interstate Route 5 interchange, the Bake Parkway/Interstate Route 5 interchange, and the improvements to the confluence of Interstate Route 5 and Interstate Route 405 in Orange County, California, upon application by the State of California for reimbursement. The fair market value of the right of way shall be established as determined by the Secretary of Transportation in accordance with regulations and statutes governing the acquisition of rights of way for projects on the Federal Aid Primary and Interstate System.

Urban areas. 49 USC app. 1607a note.

SEC. 334. (a) INTERMODAL URBAN DEMONSTRATION PROJECT.—Funds appropriated in this Act for "Intermodal Urban Demonstration Project" shall remain available until expended.

(b) UMTA COMMUTER RAIL SERVICE.—Section 337 of Public Law 100-457 is amended to read as follows:

Effective date.

"Notwithstanding any other provision of law, when a commuter rail service has been suspended for safety reasons, and when a statewide or regional agency or instrumentality commits to restoring such service by the end of 1989, and when the improvements needed to restore such service are funded without Urban Mass Transportation Administration funding, the directional route miles of such service shall be included for the purpose of calculating the fiscal year 1990 section 9 apportionment, as well as the apportionment for subsequent years. If such service is not restored by the end of 1989, the money received as a result of

the inclusion of the directional route miles shall be returned to the disbursing agency, the Urban Mass Transportation Administration/'.

(c) STATEWIDE OPERATING ASSISTANCE.—Section 9(2)(A).—In any case in which a statewide agency or instrumentality is responsible under State laws for the financing, construction and operation, directly by lease, contract or otherwise, of public transportation services, and when such statewide agency or instrumentality is the designated recipient of UMTA funds, and when the statewide agency or instrumentality provides service among two or more urbanized areas, the statewide agency or instrumentality shall be allowed to apply for operating assistance up to the combined total permissible amount of all urbanized areas in which it provides service, regardless of whether the amount for any particular urbanized area is exceeded. In doing so, UMTA shall not reduce the amount of operating assistance allowed for any other State, or local transit agency or instrumentality within the urbanized areas affected. This provision shall take effect with the fiscal year 1990 section 9 apportionment.

SEC. 335. PERMANENT PROHIBITION AGAINST SMOKING ON SCHEDULED AIRLINE FLIGHTS.—Section 404(d)(l) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1374(d)(l)) is amended by deleting in subparagraph (A) of section 404(d)(l) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1374(d)(l)(A)) all after the words "any scheduled airline flight" and inserting in lieu thereof the following: "segment in air transportation or intrastate air transportation, which is—

(i) between any two points within Puerto Rico, the United States, Virgin Islands, the Distict of Columbia, or any State of the United States (other than Alaska and Hawaii), or between any point in any one of the aforesaid jurisdictions (other than